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ABSTRACT

Policies and problems of education for the homeless are discussed. The analysis is organized in four main sections. The first describes trends, dimensions, and difficulties of homelessness among children and youth. This section is based on various reports, especially those required by federal legislation. The second section reports and interprets results of a national survey of state policies and plans that stem from federal obligations established under the Stewart B. McKinney Homeless Assistance Act of 1987. The third section presents a New York State case study; a history of issues and problems relating to public education of the homeless, and legislative and regulatory solutions to those problems. The fourth section offers recommendations for policy development and study. Materials related to the national survey, including the cover letter and the status of states' responses to the survey, are appended. Approximately 30 references are cited. (RH)

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EDUCATING HOMELESS CHILDREN AND YOUTH: A POLICY ANALYSIS

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The impressions are painful, ironic, profoundly troubling:

• At the entrance to St. Patrick's Cathedral in New York City, a man in disheveled, dirty clothes, without a shoe on one foot, lies asleep on a granite slab beneath a bronze statuette of the Virgin Mary. Her arms at her sides, palms forward, the statuette seems to present the sleeping man to the world, as a reflection of itself (Hope and Young, 1986, p. 248).

• At a Midwestern elementary school, a third grader named Sara daydreams at her desk, unable or unwilling to concentrate on her studies. She needs help to perform routine tasks, has become very dependent on the teacher for frequent reassurance, and has withdrawn from most of her former playmates. Two years before, she had been described as a shining student in her class, a positive role model for other minority students in her room. What happened? In the first grade, she had a permanent home; by the third, she lived in a Salvation Army Shelter for homeless families. Other than this, her teachers knew virtually nothing about what might have effected such a drastic change in Sara's outlook and behavior (Marquette Elementary School Staff, 1988).

• In its status report to the federal Department of Education required of each state by the McKinney Homeless Assistance Act, New Mexico lists more than 500 children and youth living in "subhuman accommodations." This startling category is defined to include families or youth "who are sleeping in cars, tents, pick-up truck beds, makeshift

campgrounds, and barns . . . or shacks which have no electricity, no heat, no running water, and no sanitation" (New Mexico Department of Education).

Behind each of these circumstances lies a story of human vulnerability, of systems that fail to respond as they should to causes of homelessness that include chronic disabilities, personal crises, and economic conditions. This paper will discuss the policies and problems of one particular system in relation to homelessness: public education.

The following analysis is organized in four main sections. The first section describes trends, dimensions, and difficulties of homelessness among children and youth, based on various reports, especially those required by federal legislation that recently has impelled states' efforts to identify and serve homeless persons effectively. Second, the paper reports and interprets the results of a national survey of state policies and plans that stem from federal obligations established under the Stewart B. McKinney Homeless Assistance Act of 1987. Third is a New York State case study: a history of issues and problems relating to public education of the homeless, and legislative and regulatory solutions to those problems. A fourth section makes recommendations for further policy development and study.

Homelessness: Trends, Dimensions, Difficulties

Trends of Homelessness

Estimates of the number of homeless have varied widely throughout this decade. In the same year, 1983, the U.S. Department of Health and Human Services estimated a total in excess of 2 million, while the Department of Housing and Urban Development came up with a range of 250,000 to 350,000 on a given night (Hope and Young, 1986). The Government Accounting Office has reported estimates of the annual increase in homeless ranging from 10% to 38% (Select Committee on Children, Youth, and Families, 1987).

Despite the range of estimates, consensus points to a steady increase in the number of homeless throughout the 1980s, and more specifically, a steady increase in the proportion of families and children to the total. A 25 city survey by the U.S. Conference of Mayors in 1986 (Select Committee, 1987) found that families with children were the fastest growing homeless group, representing nearly 38% of all homeless persons countrywide.

In New York City, where approximately three of every four homeless families are sheltered in hotels and motels, 2,416 families with 5,824 children were temporarily housed in December 1983. Five years later, as a result of consistent annual increases, there was a total of 4,637 families and 9,504 children. For families, this was a 92% increase; for children, a 63% increase over 1983 (New York State Education Department [NYSED] Report, February 1988; NYSED State Plan for the Education of the Homeless Children and Youth, 1989).

A composite demographic profile of homeless families, used as a congressional fact sheet (Select Committee, 1987), included the following characteristics for the average homeless family: two or three children (median age 6); one adult (single, unemployed female, median age 27); teenaged motherhood; on public assistance, probably for at least five previous years; far less educated than general populace; and more prone to drug abuse or mental illness.

Why has there been such a relentless increase in the proportion of homeless families? Hope and Young (1986) have cited at least five underlying causes identified in scholarly studies and the media: (1) unemployment, especially among the young and minorities; (2) a shortage of affordable housing; (3) deinstitutionalization of patients from mental hospitals; (4) scrutiny of and tighter eligibility for disability benefits; and (5) declining real value of public assistance benefits, and more recipients whose benefits have been reduced or eliminated.

No single cause offers a fully satisfactory explanation; rather, factors seem to have meshed in a three-decade sequence that has spawned homelessness in the 1980s as a widespread manifestation of poverty. The roots of homelessness may intertwine, but the most direct cause, or first line of analysis, according to McChesney (1986), Wright and Lam (1986), Kozol (1988) and others is the growing scarcity of low-income housing, insidiously complemented by an increase in the number of low-income families.

Homeless Children and Youth

As family homelessness has increased, the likelihood of children and youth not attending school regularly, if at all, has increased. Surveys in 1987 by the Child Welfare League and by the Center for Law and Education suggested that in urban settings, among the shelter population, 3 or 4 of every 10 children did not attend or were denied opportunities to attend school (National Coalition for the Homeless, 1987).

The extent of non-attendance and reasons why have been summarized recently in final reports submitted to the Education Department under the Stewart B. McKinney Homeless Assistance Act of 1987. All of the state education agencies receiving funds under the Act were required, among other things, to file final reports by the end of calendar year 1988. The reports were to include the following: (1) numbers of homeless children and youth by school level group; (2) statistics on how they are housed; (3) how many are not attending school, and reasons therefor; (4) special educational needs of the children and youth involved; and (5) difficulties encountered in identifying needs.

Prior to this study there had been little analysis of these reports, only a summary statement to Congress (U.S. Department of Education, February 1989), along with a news release. The summary warned readers about incompleteness and variable data sources and counting methods among the state status reports. By surveying numerous sources, some states duplicated figures on the number of homeless children and youth. Some limited data to direct survey results, while

others extrapolated from samples to generate estimated totals. Some states gave only a one-day count. Also, different sources of information were applied to different items required on the federal form. In short, the data are unreliable and were difficult for many states to obtain at all, probably in part because homeless people are difficult to find and account for: they do not like to advertise what for them may be a humiliating condition.

Acknowledging drawbacks in data quality, the counts nonetheless represent an initial important attempt to quantify a national education crisis. Among 220,000 school-age children across the country, an estimated 67,000, or 30%, were not attending school as of late last year. This percentage echoes the results of earlier surveys. Concentrated in cities, homeless young persons numbered 12,250 in Los Angeles, 10,169 in New York City, and 10,000 in Chicago.

Based on combined counts and estimates, the federal summary report--minus data from five states--showed 84,617 elementary, 44,747 middle school or junior high, 58,338 high school students, and 32,952 unclassified young persons who were homeless. In the total, 33,119 preschool aged children were counted. Among all reported homeless children, 7% resided in publicly operated shelters; 40% were in privately operated shelters; 25% were located with relatives and friends; and 28% were in facilities that included a combination of private and public shelters.

Barriers to Educating Homeless Children and Youth

During the 1980s, state legislators, scholars, and child advocates have joined the attempt to find out why homeless children and youth do not attend school, and why they encounter such difficulties when they do.

In Rachel and Her Children (1988), Jonathan Kozol rhetorically has asked and answered a question that implies both crisis and disbelief:

> Do we know what we are doing to these children? Knowingly or not, we are creating a diseased, distorted, undereducated and malnourished generation of small children, who without dramatic intervention on a scale for which the nation seems entirely unprepared, will grow into the certainty of unemployable adulthood. (p. 90)

New York Congressman Ted Weiss, sharing the frustration of many federal and state lawmakers, has pointed out: "We have a more efficient system in the U.S. to deal with stray pets than we have for homeless human beings" (quoted in Kozol, p. 90). Congressional hearings on "the crisis in homelessness" were conducted in 1987.

Health scholars Bassuk and Lubin (1987) have stressed clinical findings related to educational, social, and psychological development. Their study of children in Massachusetts shelters in 1985 confirmed that a majority were suffering from developmental delays, severe anxiety and depression, and learning difficulties. Especially alarming were the multiple impairments of preschoolers, many of whom had never known the

comforts of a stable home; more than half had moved 5 to 14 times since birth.

The National Coalition for the Homeless (1987), one of the best known advocacy groups working on this problem, has concentrated on identifying factors that deny access to education. Shelter surveys the Coalition conducted in cooperation with the Massachusetts-based Center for Law and Education have uncovered four major problem areas:

- Residency requirements may exclude a child from attending school in a district unless he/she has a permanent address. De facto denial of schooling sometimes stems from disagreement over how residency is determined, given two possibilities: location of original home and location of shelter to which homeless family has moved.
- Lack of transportation may prevent a homeless child from attending school; it may be unaffordable, or, when available, scheduled at inconvenient times involving long distances and travel time.
- Records transfer of immunization accounts and academic reports may take so long and create such a logistical nightmare that it builds an insurmountable bureaucratic barrier. As the Coalition has observed, "Going to the post office to get a money order to get a notarized copy of a birth certificate to take in person to a school is difficult for anyone; for a homeless person, it may be impossible" (p. 11).
- Special education requirements for homeless children may be extremely difficult to meet because due process, testing, and placement

are procedurally complex and demand continuity of attendance and administrative effort.

- Guardianship requirements may create a barrier because homelessness precipitates family separations that make it difficult to readily obtain parental signatures necessary for enrollment, or reentry after suspension.

The Coalition's findings have been confirmed and extended the McKinney Act's 1988 state status reports mentioned earlier. Each state, the District of Columbia, Samoa, and Puerto Rico specified reasons why homeless children and youth were not attending school, along with the basis for those conclusions. The majority of states conducted surveys or needs assessments to obtain their information; diverse groups--including shelter providers, school district officials, county agency officials, and community service employees--were polled.

A content analysis of the reasons given for non-attendance suggests five major contributing categories:

- transience
- stress
- legalities/bureaucracy
- lack of support services
- basic need priorities

Transience. The short stays of homeless families in various locations create an array of problems in connection with schooling. Most states mentioned transience as an educational impediment. Some

were able to document its extent. Colorado, for example, estimated that two thirds of its homeless population had been located in their current communities of residence less than two years, a half less than one year. Of even greater concern, 79% of Colorado's homeless families had been in that condition for less than three months.

The temporariness of homelessness has discouraged families from enrolling their children in school; before so doing, parents want their living situations to stabilize. Moreover, by moving in or out during the school year, families miss deadlines for enrollment of their children in school. Repeated absences once enrolled, moreover, prevent children from receiving credit for their coursework.

Stress. The majority of states reported that elevated family stress spawns conditions that prevent school attendance. In their surveys, both Washington State and Montana documented this concern by reporting that nearly 3 of 10 respondents identified either "tension" or "family stress" as a reason why homeless children absent from school.

In the Washington survey, sources of homeless student stress were profiled in some detail. Citing reasons that may cause refusal to attend, 25% of respondents noted that a child may feel he can't "fit in" with schoolmates; 22% that a child may fall behind in work and be ashamed of this; and 20% that a child becomes afraid of others knowing he is homeless.

Other manifestations of stress reported by the states included fear of reprisal and self-abusive behavior. The former can result from

creating traceability to the child or parent by formally enrolling a child in school. Battered or abused children or parents may need to have their anonymity protected to prevent a recurrence of the abuse that led to their leaving home. As for self-abuse, many homeless parents or youth have become dependent on drugs or alcohol; their state of physical or psychological health jeopardizes continuity of school involvement.

Yet another source of stress comes from school staff. In a few of reporting states, there appears to be enough "cultural bias" or insensitivity from school staff to warrant its being identified as a reason why children are either too embarrassed or discouraged to attend regularly. One state, Maryland, expressed concern about lack of staff training and awareness to address the needs of homeless children, also noting that shelter providers were willing to participate in staff training sessions with local school staff and to provide the needed resources for the planning and implementation of the sessions.

Legalities/bureaucracy. The states confirmed a multitude of procedural or legal roadblocks that divert routine school attendance of homeless children. School district or state policies usually require that individual health or immunization and academic records be received from the district of previous enrollment either before new enrollment is approved or within a brief period of time thereafter. In some instances, delay in records receipt stems from parental inattention or inability to meet procedural obligations. In others, it results from no one agency or individual being willing or able to take responsibility

for ensuring records transfer or providing necessary support services to the children and families involved.

No permanent address: Given a practical need for school staff to communicate with parents or students, and given confusion over school jurisdiction, the absence of an address can virtually exclude students from school.

Other state-reported difficulties included: having to have an identifiable, legally sanctioned guardian or parent for each child who enrolls; the absence of requirements that a child attend school after age 16, even if not graduated; suspensions or expulsion of students who misbehave; the complication of due process for homeless children with handicapping conditions; and parents' ignorance of the law.

Lack of support services. Prevalent among state concerns were lack of transportation to or from school (both cost and responsibility are specific issues), lack of child care so that parents could attend to the schooling needs of their children and so that children would not be obliged to baby-sit siblings; and lack of professional counseling to support the mental health, career-related, or social needs of the homeless population.

As reported by the State of Colorado, based on its statewide survey, the top 11 service needs of the homeless included, in order of importance: child care, transportation, job-counseling, shelter, medical care, hospital care, clothing, food, drug counseling, mental health care, and detox service. The Colorado officials concluded,

"These immediate service needs may tend to dominate the educational needs of homeless children."

Basic needs priorities. Repeatedly, states found that urgent basic needs such as food, clothing, and shelter took precedence over education. After the basics were secured, felt homeless parents, then education could be worried about. In many instances, according to state surveys, the proper clothes or school supplies were unaffordable. Without these, children feel embarrassed about going to school, or their parents feel embarrassed to send them.

Finally, the unaffordability of housing leads to children living in surroundings that are inappropriate for school attendance and success. Children in shelters or other settings for the homeless typically have no quiet place to study; nor do they get enough sleep or nourishment to enable them to learn effectively.

Special Educational Needs of Homeless Children and Youth

The McKinney Act required each state to identify special educational needs and the difficulties encountered in the process of meeting those needs. Most of the items listed by states in their 1988 reports would be familiar to educators and policymakers who have reviewed the growing body of literature on helping children and youth "at risk."

Several targeted a need for effective education in the early years. Preschool enrichment, early identification and enrollment of very young

homeless children, and remediation or tutoring in basic skills were highlighted.

Support services were a widespread concern. States urged the availability of extensive, long-term counseling from school counselors and social workers. In addition, there were identified needs for a proper physical setting in which to study, effective evaluation and placement, activities to promote parent involvement, and after school and extended day programs to meet both academic and recreational needs.

Among the major difficulties reported by the states were community disagreement about the definition of homelessness, the absence of valid, reliable data concerning homeless children and victims' reluctance to seek agency help or to become known.

Analysis of Proposed State Plans and Policies

The McKinney Act

Enacted in July 1987, the Stewart B. McKinney Act in its entirety is a complex and comprehensive piece of legislation in support of the homeless. Its portions encompass a federal emergency food and shelter program, housing assistance, health care, and veterans' support, along with provisions for education, training, and community services. A job training component is intended to give state and local agencies the resources to help private non-profit organizations and businesses to establish job training demonstration programs. Title VII of the Act includes amendments to the federal Adult Education Act that authorize

resources for state education agencies to fund adult literacy and basic skills programs.

Title VII, Subtitle B, specifically addresses the problems of educating homeless children and youth. Currently funded at $4.8 million nationwide, this section has been praised widely by advocacy groups. The National Coalition for the Homeless, for example, has written, "The Act establishes for the first time a national, uniform policy for the education of homeless children" (1987, p. 17). Each state education agency must assure, for each child of a homeless individual who is a resident of that state, access to a free, appropriate education, consistent with state school attendance laws.

In addition, the Act calls for state reviews of residency requirements, as a component of compulsory attendance laws, to make sure homeless young persons are afforded a free, appropriate public education.

Funding is authorized for the states to compile information on the number and needs of homeless children, to identify problems that prevent homeless children from receiving an education, and to develop a plan to overcome these problems. Of particular relevance to this policy analysis, state education agencies have been instructed to establish an office of the coordinator of education of homeless children and youth to carry out the above activities. Two reports were due in 1989 from each state and territory receiving federal funds in 1987-88 under the McKinney Act: (1) a final report (due December 31, 1989) containing

data already summarized and interpreted in a preceding section of this paper, (2) a state plan (due April 30, 1989) that must include at least the following provisions:

- authorization for appropriate state or local agencies and individuals to make determinations required in all components of the plan
- procedures for resolving disputes regarding education placements
- assurance, to the extent possible, that local educational agencies will comply with requirements: (a) to continue a homeless child's education either in the district of original residence or in the district where the child actually is living, whichever is in the child's best interest; (b) to make sure that a placement choice is made regardless of whether the homeless child is actually living with his/her parents; (c) to provide to the homeless child services comparable to those given to other students in the school selected; (d) to maintain appropriate school records on each homeless child.

A National Survey

The two reporting requirements provided an opportunity for timely research to be conducted to identify common trends and distinct features of developing state plans and policies for the education of homeless children and youth. Due to the diversity in both breadth and scope of the state plans' content, this research concentrated on specific components of the McKinney Act:

- person or persons designated to make educational placement decisions for the homeless child, taking residency issues into account
- procedures for school record transfer and handling
- mechanisms for dispute resolution
- assurance of "comparable education"
- funding mechanisms for education provisions
- interagency cooperation and collaboration

Unique features of state plans and policies were also identified as well as novel state and local programs to address the educational needs of homeless children.

During February 1988 (see Appendix A), the New York State School Boards Association wrote to the education commissioners of Puerto Rico, Samoa, District of Columbia, and the 50 states to request copies of state plans and developing policies related to educating homeless youth. Thirty-four states and territories in the United States responded by sending the requested information as well as additional materials (e.g., state surveys and supplemental homeless reports) pertinent to understanding the states' responses in educating homeless children and youth (see Appendix B). In addition, thirty-five of the state coordinators of education for homeless children and youth were contacted by telephone to provide and clarify information.

Most state plans and policies were in draft form at the time they were examined. Therefore, the results of this study should be viewed as

a snapshot of the rapidly evolving process of state planning and policy development.

Emerging Trends in Placement Decision

The importance of continuity in an educational program for the homeless child has been recognized by states' school personnel shelter providers, and policymakers. Maintaining attendance in one school throughout the year, even though the family may have left the school district, can be a stabilizer during a time of transition for a child without a permanent residence. Yet some parents have preferred to enroll their children in the school district where they currently live because having the children close by is a priority. The McKinney Act addresses the issue of placement decision:

> Each State shall adopt a plan to provide for the education of each homeless children or homeless youth within the State which will contain provisions designed to-
>
> (A) authorize the State educational agency, the local educational agency, the parent or guardian of the homeless child, the homeless youth, or the applicable social worker to make the determinations required under this section; [PL 100-77, Subtitle B, Sec 722 (e)(1)]
>
> The local education agency of each homeless child or youth shall either-
>
> (A) continue the child's or youth's education in the school district of origin for the reminder of the school year, or

(B) enroll the child or youth in the school district where the child or youth is actually living:

whichever is in the child's best interest or the youth's best interest.

The choice regarding placement shall be made regardless of whether the child or youth is living with the homeless parents or has been temporarily placed elsewhere by the parents. [PL 100-77, Subtitle [sic] B, Sec 722, (e)(3)(4)]

A review of the state policies and plans with respect to participants in the placement decision process of a homeless child revealed some trends. A few states specified parent(s) responsibility to determine the school placement for their child (e.g., New York, Massachusetts, pending legislation in Iowa). Many states regarded the local educational agency or the involved school districts as the prime determiners of education placement for the homeless student (e.g., Minnesota, South Dakota, North Dakota).

Some states and territories (e.g., Puerto Rico, Tennessee, Alabama) favored using a team to decide the educational placement of a homeless child. The homeless placement team usually included representatives from the local educational agency, shelter (if the family is in a shelter), health department, the parent(s) and/or family advocate. The state plans and policies often emphasized that decisions should carefully consider parental wishes.

Some state plans and policies did not specify the person or people responsible for determining the educational placement of the homeless child. Some were in the process of considering the member(s) in a placement decision (e.g., Florida, Nebraska). Alaska relied on informal procedures to determine educational placement and found placement decisions of homeless children were not a problem.

Plans and policies frequently stressed education the "best interest" of the child in placement decisions. Sometimes parameters were included to guide participants in deciding a placement. Considerations included:

- length of commute to/from school and cost of such transportation (e.g., Massachusetts, New Jersey, Maine, Maryland)
- not making decisions based on the lack of transportation (e.g., Tennessee, Kentucky)
- choice of placement decided regardless of youth living with parents (e.g., North Carolina)
- continuity in one educational program (e.g., Massachusetts, Maine, New Jersey, Pennsylvania)
- geographical area in which housing search is being done (e.g., Maine, Massachusetts)
- age of child (e.g., Massachusetts, District of Columbia)
- special educational needs of child (e.g., New Jersey, Massachusetts)

- decisions on case-by-case basis (e.g., Pennsylvania, District of Columbia)
- original assigned school placement continued whenever possible (e.g., Tennessee)

In review, the decision for educational placement was determined by different methods in the various states. Most favored either a homeless placement team or decisions made by local education agencies. Some states favored parental choice, and a number, at the time of the survey, were still considering various procedures and parameters in determining the education placement of the homeless child.

The Timeliness of Record Transfer and Handling

As homeless children move from one residence to another, it is important that they sustain school attendance. When a change of school is needed, the transfer of school records has sometimes caused needless and educationally damaging delays. The McKinney Act calls for the present systems of record transfer to be expedited to assure homeless children a smooth, fast entry into any new school:

> The school records of each homeless child or youth shall be maintained-
>
> (A) so that the records are available in a timely fashion when a child or youth enters a new school district; and
>
> (B) in a manner that is consistent with section 438 of the General Education Provisions Act. [PL 100-77, Subtitle B Sec 722 (e)(6)]

A review of the state policies and plans in regard to the transfer and handling of school records reflected some major tendencies among the states. Many plans reiterated the need for timely transfer of records, as described by the McKinney Homeless Assistance Act (e.g., Connecticut, Oklahoma, Wisconsin), and recommended investigating strategies to increase record transfer efficiency (e.g., Kansas, Vermont, Pennsylvania).

The state education departments of Colorado and New Mexico planned to monitor local education agencies to ensure records are handled and transferred promptly. Montana considered initiating and developing an interstate record transfer and handling system. West Virginia, Maryland, Massachusetts, and other states specified certain steps local educational agencies could take to obtain academic and medical records (e.g., contact the original district by telephone).

States varied in their progress toward developing of a system to track a homeless student's academic and medical records. Florida was putting in place a statewide system for tracking students, called the Florida Information Network. This system would allow records to be transferred electronically. The District of Columbia reported no problems with transfer of records within its geographical limits due to the Student Information Management System currently in place. However, there had been a breakdown of timely records transfer for homeless students who enter District of Columbia schools, having previously attended school outside of the D.C. area. Puerto Rico found timely

transfer of records was not a problem because of the centralized nature of their territory's education system.

Varied Dispute Resolution

A comprehensive state plan addressing the educational rights of homeless children needs to include systems of complaint management. The McKinney Act addresses the necessity of such mechanisms for resolution of disputes:

> Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the State which will contain provisions designed to - (B) provide procedures for the resolution of disputes regarding the educational placement of homeless children. [PL 100-77, Sec 722 (e)(1)]

The states varied in their approaches. Many used existing policy mechanisms for dispute resolution (e.g., Rhode Island, Vermont, New Hampshire). New Hampshire's plan included directives to its state education department to let parents know their rights to appeal decisions.

The state coordinator of education of homeless children and youth should be contacted when disputes arise in a number of states (e.g., Colorado, South Dakota, District of Columbia). Some plans defined uniform procedures for the dispute resolution of educational placement of homeless children (e.g., Kentucky, Kansas, Pennsylvania, Georgia). Local education agencies were required by some states to have a policy for resolving disputes within their jurisdictions (e.g., Arizona,

Georgia, Maryland). Massachusetts and Arizona specified where the homeless child should attend school during pendency of any disputes. In review, it appears most state plans relied on existing state policies and deferred to local education agencies to develop policies for municipalities.

Assurance of Comparable Education

The McKinney Homeless Education Act declares that homeless children should receive education comparable to that of other children. The Act states:

> Each homeless child shall be provided services comparable to services offered to other students in the school selected according to the provisions of paragraph (3), including educational services for which the child meets the eligibility criteria, such as compensatory educational program for the handicapped and for students with limited English proficiency, programs in vocational education, programs for the gifted and talented, and school meals and programs. [PL 100-77, Subtitle B, Sec 722, (e)(5)]

The states addressed in various ways the educational services homeless children are entitled to receive. Most explicitly recognized in their plans the homeless child's right to comparable education (e.g., Wisconsin, Georgia, Vermont). Some states further clarified their commitment to provide homeless children equal educational access (e.g., Oregon, North Carolina) and equity (e.g., New Mexico and Connecticut). The Tennessee and Illinois plans said schools should avoid

discriminatory treatment of homeless children with respect to placement decisions and education services.

A number of states planned to monitor the efforts of local education agencies to provide comparable education to homeless children (e.g., Arizona, Colorado, New Hampshire). The District of Columbia plan indicated schools would maintain logs detailing services provided to homeless children in order to document efforts and enable verification.

Funding Mechanisms for Education Provisions

The McKinney Homeless Assistance Act provided funding for states to gather information on the number and needs of homeless children, to identify the barriers preventing homeless children from attending school, and to develop a plan to overcome these problems. The McKinney Act also authorized additional funding for fiscal year 1987-88 and 1988-89 to state or local educational agencies for exceptional programs that effectively address the needs of homeless students. However, Congress never appropriated the funds for this part of the Act.

States addressed various educational issues in a fiscal context. The toughest issue appeared to be which school district would be responsible for paying for the education of a homeless child. Some states decided the district where the child originally attended school should pay for the homeless child's education (e.g., North Dakota, Kansas, Connecticut). A few states laid fiscal responsibility on the school district the child currently attended (e.g., Maryland), and a few more states (e.g., Colorado, Iowa) varied on which district should pay

depending on the intent of residency change for the child. The original district paid if the residency change occurred primarily for education reasons, and the current district paid if residency change occurred in order to provide shelter and other essentials of life.

There were various funding mechanisms and cost issues in relation to transportation. A number of states (e.g., Oregon, Minnesota, Maryland) were considering the feasibility of various funding mechanisms for transportation (e.g., state or federal funds; funds from other organizations). The Department of Social Services paid for transportation in New York, while Massachusetts had legislation filed to reimburse school districts for transportation across district lines. New Jersey designated emergency assistance funds to districts faced with educating and transporting large numbers of homeless children. Some states (e.g., Arizona, Pennsylvania) were currently struggling with transportation costs, trying to decide between assigning it to a homeless child's original or current district of enrollment.

A number of states (e.g., Oklahoma, Indiana, Illinois) used existing program funding such as Chapter 1 and at risk allocations to provide services for homeless children. Maine's plan recommended that existing funding mechanisms and fiscal responsibilities of school districts should be clarified. Some states looked to the federal government to provide additional funding for pilot programs to provide educational services for homeless children (e.g., Arizona, Connecticut, Minnesota).

In review, funding mechanisms were being investigated by most states. Plans included different procedures to handle student tuition and transportation payments for homeless children, as well as delineated use of existing program funds and additional allocations for pilot programs.

Interagency Cooperation and Collaboration

Essential for ensuring the education of homeless children is cooperation and collaboration among agencies and organizations that provide services to homeless children and youth. Many homeless children have multiple priority needs such as medical care, food, clothing, shelter, and counseling. Not fulfilling these basic needs may have a direct negative impact on school attendance and performance. Social service and educational agencies need to work together not only to meet multiple needs effectively, but also to obtain accurate data on homeless children to satisfy the McKinney Act requirements.

The states addressed interagency cooperation and collaboration in various ways. Many said interagency cooperation already was strong on the state level (e.g., Alaska, Rhode Island, New Hampshire). North Dakota and Montana noted the state advisory committee was an important component in developing the interagency network necessary for providing services to homeless children.

A number of states focused on different aspects of local level cooperation. Some acknowledged the need to develop guidelines for improving coordination among social service agencies and school

districts on the local level (e.g., Colorado, Alabama, Florida). Massachusetts and Maine recommended schools and other agencies develop linkages to facilitate cooperative arrangements.

Pennsylvania noted the importance of identifying points of contact and channels of communication between educational and social service agencies which support service delivery to homeless children. The Pennsylvania Department of Education has offered grants to study ways to develop a coordinated service delivery model.

Arizona delineated specific areas to work on when developing interagency collaboration: food and nutrition programs, medical, psychological and counseling services, and a resource directory of service to be disseminated to school districts.

In review, interagency collaboration and cooperation is important and necessary on both the state and local levels. Various social welfare and educational agencies working together can enhance programs and services provided to homeless children and their families.

Distinctive Features of State and Local Efforts

When states started planning and implementing efforts to address the specific educational needs of homeless children and youth, unique programs with distinctive features took shape on both state and local levels.

The state initiatives focused on programs to increase public awareness, develop school staff training, special services for educating homeless children, and school monitoring procedures. Locally developed

programs centered on comprehensive planning for the individual needs of homeless children, alternative education programs, and supplementary education service development.

State initiatives. Many states stressed an attempt to increase public awareness of the number and special needs of homeless children and youth. Texas, Maryland, and Pennsylvania planned to use different forms of media to raise awareness and educate the public. Texas specified utilizing public service announcements and posters to let parents know their rights and responsibilities in educating homeless children. North Dakota planned to have a "homeless week," and New Mexico and Wyoming considered holding state conferences to increase public awareness.

Educating school staff to the number and needs of homeless children and youth was clearly considered important. Minnesota planned to institute three major conferences for school administrators to review school organizational procedures, policies, and programming in an effort to increase the educational opportunities of homeless children. Nevada considered establishing training teams to educate a person from each school district on how to handle the enrollment, record transfer, and provision of services to homeless children. The Connecticut plan recommended providing technical assistance to school districts through publicizing the statewide network of experts on homelessness. West Virginia proposed developing profiles of homeless children to enhance staff awareness at school inservices. Texas prepared to designed a

videotape of the educational needs of homeless children as an inservice tool.

Many states targeted the need to develop special programs and services. Arizona planned to develop testing and screening measures to more effectively place homeless children in classrooms. The state also explored the development of a portable curriculum based on the migrant education's Portable Assisted Study Sequence (P.A.S.S.) program. Mississippi planned to study the advantages and disadvantages of schools based in shelters. Oklahoma expected to provide service shelters with a list of designated school district contacts responsible for managing the educational programming of homeless children. Indiana and Arkansas were establishing a list and/or kit providing information to school districts on health, social service agencies, and shelter in the local school district area.

Some states focused on developing model programs and services. Texas provided mini-grants to school districts with the goal of creating a manual describing "best practices" in educating homeless children. New Mexico planned to establish "student initiative model grants" to school districts to have them develop programs for educating homeless children. There would be special focus on the educational needs of the Hispanic and native American homeless population.

States considered some innovative ways to monitor school districts in their efforts to educate homeless children. Maryland established periodic site reviews to monitor the delivery of special services for

homeless children in conjunction with Chapter 1 site reviews. Texas planned to develop a school district self assessment guide to help school districts monitor their compliance to state and federal policies regarding homeless children. Kentucky furthered school district compliance to various policies by instituting clear guidelines specifically written for school districts.

Local implementation. A number of innovative programs to support the education of homeless children were due to be implemented on the local level. North Carolina proposed that school-based support teams develop a Personal Educational Plan (PEP) for each homeless child and youth. The PEP recommendations for each child could include support services, medical services, transportation, and parental/guardian roles in the education of a homeless child.

Some states already had alternative education programs that included homeless children and youth in service delivery. The Minnesota P.M. School is an individualized, academic-oriented alternative education program conducted in the afternoon. The Freeport West, Inc. Project Solo program is an alternative school that focuses on independent living skills when educating youth. Approximately 45% of the students are homeless and they learn how to manage money, gain employment, and effectively use community resources. The Takoma School District in the state of Washington has a transitional school for homeless children. The children rarely stay in the transitional setting beyond two weeks. The classrooms, meals, and educational services are

provided through the joint cooperation of various private and public service agencies in the area.

A number of states had plans to develop supplementary education services to homeless children and youth. Ohio and Connecticut considered implementing after school tutoring programs. Pennsylvania specified utilizing older students in providing outreach (e.g., Philadelphia Citizens of Youth and Youth Volunteer Reading programs). New Hampshire's plan described specialized reading centers and a reaction to humor program (incorporating Chapter 1 resources). Maryland was in the process of planning joint library shelter programs and collaborating with the Lady Maryland Foundation to provide summer enrichment learning experiences for homeless children.

Summary

The Stewart B. McKinney Act, the first comprehensive law to provide emergency and long-term assistance for homeless persons, specifically addresses important issues regarding the education of homeless children ad youth. Under the Act, the 50 states, Puerto Rico, and District of Columbia have received funding to investigate the number and needs of homeless children, to identify problems that prevent homeless children from receiving an education, and to develop a plan to overcome these problems.

Drafted state plans and policies developed as of March 1989 were reviewed to identify common trends and distinctive features. Analysis focused on certain components of the draft reports and policies based on

requirements of the McKinney Act. These components included placement decision, procedures for school record transfer and handling, mechanisms for dispute resolution, and assurance of comparable education. The study also considered how state plans and policies addressed funding mechanisms for education provisions, interagency cooperation and collaboration, and innovative state and local programs to address the educational needs of children.

It was found states varied in determining which person or persons made the educational placement decision for the homeless child. Most states acknowledged the need for speedy school record transfer and handling, though the states varied in their success to accomplish record transfer in a "timely fashion." Many states used existing mechanisms for dispute resolution, while some states delineated dispute resolutions specific to the homeless children and youth population. Virtually all states recognized the rights of homeless children to receive education comparable to other children. A number of states planned monitoring procedures to make sure comparable education would be delivered by the schools.

Some state plans determined procedures to handle tuition, transportation costs, and use of existing program funds (e.g., Chapter 1) for the educational provisions of homeless children. Interagency cooperation and collaboration were considered essential on both the state and local levels. The state plans addressed how the various social and educational agencies can better serve the needs of

homeless children and their families. Finally, this paper reviewed the various novel program initiatives on the state and local levels in providing education to homeless children.

Case Study: Development of Policy in New York State

Introduction

While the magnitude of homeless families and children has increased dramatically in the 1980s, homelessness is not a new phenomenon. However, until recently, federal, state and local governments have largely ignored the problem, leaving the provision of such services to private service providers. The federal government began to address the problem in the 1970s, primarily with regard to run-away youth programs. The Stewart B. McKinney Homeless Assistance Act (Title VII, Subtitle B, Sec 721 (a), 101 Stat. 526 (1987) signed into law on July 22, 1987 by President Reagan was the culmination of two years of intense legislative activity and established for the first time a national policy for the education of homeless children.

Parallel activities took place in New York State. Services for the homeless historically were provided by private community based organizations such as religious organizations and other volunteer groups. These services expanded during the 1980s and a homeless housing and assistance program was signed into law by Governor Cuomo in 1983 (New York State Council on Children and Families, 1984). After three years of activity by the State Education Department, a statewide educational policy was established on May 20, 1988 when the New York

State Board of Regents adopted regulations concerned with the education of homeless children (New York State Education Department, 1988).

This paper now turns to a case study of the development of a statewide policy concerning the education of homeless children. Specifically, it focuses upon a period from 1985 until the present time. Admittedly, this is not a definitive statement of education of the homeless in New York. New problems or challenges are still likely to arise in the future. Had the issue not been resolved through federal legislation and regulatory activity on the part of the New York State Board of Regents, the right to a free and appropriate public education for homeless children would have moved even more rapidly into the state and federal court system for resolution.

The Context of New York

New York's governmental arrangements for education had a significant impact upon how the schooling of homeless children issue was processed and for the present largely resolved in the Empire State. Some crucial elements of New York's educational policy system and its legal arrangements need to be highlighted. In its policy structures for education New York is unique among the 50 states. At the top of the educational apex is the New York State Board of Regents, a sixteen-member governing body responsible for all education in the state. Established in 1784, the Regents are appointed by a joint session of the New York State Senate and State Assembly.

The Regents promulgate regulations (known as Commissioner's regulations) which shape the course and direction of elementary-secondary education in New York. The Commissioner of Education is the chief administrative officer of the Regents and presides over the 3500-member State Education Department. The Commissioner is also a quasi-judicial officer, since he hears appeals based on the administration of education law. In consultation with the Regents the Commissioner and his staff formulate regulations for the Regents' approval. This is sometimes a bottom-up process, where staff in the Education Department identify needs which in their judgment require regulatory attention. But the Regents themselves may propose and enact regulations independent of the predispositions of staff. Normally interests within and without the Education Department are consulted in the process of enacting new regulations.

In New York as in other states, the United States and state constitutions are controlling on educational questions where constitutional principles have a direct application. Next in the state legal hierarchy are the enactments of the New York State Legislature and next are the regulations enacted by the Board of Regents. By law, the Regents are given exclusive jurisdiction over matters of curriculum and other essential matters of schooling. However, the Regents have no powers to raise revenues for the support of their initiatives; this must be done by the Legislature.

In New York, unlike California, the State Legislature is not the "super school board" for the state at large. Certain educational initiatives (such as budgetary) do require legislative action, but the Regents do determine most educational policies for the state's elementary and secondary school children. By and large, legislators do content themselves with trying to exercise leverage over the Regents to achieve their educational questions, and through public comments directed to the Regents. The policy arena of direct relevance to the schooling of homeless children in New York State, therefore, was the Board of Regents and the State Education Department.

The History and Resolution of the Issue

In 1983, Governor Mario Cuomo established a Governor's Task Force on the Homeless. This group was comprised of interagency state officials and was charged with improving New York's response to the needs of its homeless population. The Task Force on the Homeless directed the New York State Council on Children and Families to form a Homeless Youth Steering Committee whose members included representatives from homeless advocacy groups, provider organizations serving homeless youth and state agency representatives. Noticeably absent from the steering committee were representatives of the State Education Department or public schools in the state. Ironically, the steering committee's report stressed the need for changes in the State Education Law to assure access to educational services for homeless youth, the need for a comprehensive service approach and coordination among the

many service delivery systems (New York State Council on Children and Families, 1984). However, for the most part, the report ignored educational issues. Why State Education Department representatives were not included on the task force or steering committee could not be determined. It may be due in part to the governmental arrangements in New York State discussed earlier which provided for an independence of the Regents and State Education Department from the control of the Executive Branch headed by the Governor. At the time, Governor Cuomo was engaged in personal and public confrontations with then Education Commissioner Gordon Ambach and the Regents.

At the same time, and apparently independent of the steering committee's work, the State Education Department, under the direction of Commissioner Ambach, was unsuccessfully involved in legislative activities concerning the education of homeless children. This activity was attributable not only to the dramatic increase in the number of homeless children in New York State but also to the heightened awareness of the problems homeless children had in gaining access to schools due to the number of appeals to the Commissioner and federal and state court litigation around access issues (interviews with State Education Department [SED] officials).[1]

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[1]Officials who were interviewed were guaranteed anonymity under agreement with the State University at Albany Institutional Review Board.

In 1986, a number of proposed bills came before the legislature sponsored primarily by minority legislators. Support for certain bills came from both the governor's office and the State Education Department. The legislative proposals dealt with both funding and residency issues. Serious negotiations took place and agreement was almost reached on some of the bills. In the end, each failed to be passed by the legislature. Opposition came from communities who had large numbers of homeless families placed within their school district boundaries and argued that they did not have sufficient space or fiscal resources to accommodate the students. Overall, homelessness was viewed as a "localized" problem and the bills failed to attract sufficient support from either house of the legislature (interviews with SED officials).

During this time period, Commissioner Ambach announced his resignation and the search for his successor was begun by the Regents. Some minority legislators urged the appointment of a minority person. One of the leading candidates for the position was a minority person who was a former State Education Department official and at the time dean of a school of education at a prestigious university. He later withdrew his name from the list of candidates. The search ended with the appointment of Thomas Sobol, Superintendent of the Scarsdale Central School District, an affluent community in Westchester County, New York. The appointment of Sobol was loudly criticized by some minority legislators who claimed Sobol's background did not provide him with an understanding and sensitivity to problems of poor and minority children

in the large urban centers of the state. Sobol assumed office on July 1, 1987.

The McKinney Act was signed into law late in July and renewed efforts were made by the State Education Department to provide a free and appropriate education for homeless children. What effect did the criticism of Sobol's appointment have on these efforts? State Education Department officials deny that it had any influence and that it was simply the philosophical position of both former Commissioner Ambach and Commissioner Sobol (interviews with SED officials). However, it does appear to be more than coincidental that the schooling of homeless children was one of the first initiatives of the new Commissioner.

Nevertheless, during the fall of 1987, the activities of the State Education Department under Commissioner Sobol took a new direction. Armed with the provisions of the McKinney Act, the State Education Department turned its primary efforts away from legislative activities concerning residency requirements as defined in the Education Law to regulatory ones. Counsel for the State Education Department was charged to look at amending the Commissioner's regulations since there had been no legislative success on these matters. The Elementary and Secondary Committee of the Board of Regents examined the issues surrounding the education of homeless children and reviewed State Education Department plans and proposals (interviews with SED officials).

In January 1988, the Commissioner convened a meeting to examine needed changes in the regulations. Representatives of the Governor's

office, the Council on Children and Families, the Department of Social Services and State Education Department officials, including counsel, were present, in contrast to the earlier Governor's Task Force and Steering Committee where representatives from the State Education Department were excluded. Meetings with representatives of these agencies continued through the winter of 1988 in order to make certain that the activities of the three agencies would collaboratively promote the best interests of homeless children (interviews with SED officials).

At the Board of Regents meeting in February 1988, the Regents discussed a State Education Department report which discussed the dimensions of homelessness in New York State, provided an update on the provision of educational services for homeless children and their families in the five largest city school districts and on the issue of residency and a report on the McKinney Act, specifically with regard to New York's application for funding. Finally, there was extensive discussion about appropriate strategies that should be followed in order to better serve homeless families (interview with SED officials; State Education Department, February 1988). During the February meeting, the Elementary and Secondary Committee discussed a proposed amendment to the Commissioner's regulations which would authorize the parent of a homeless child to designate as the district of attendance either the district of temporary location or the district of last attendance (State Education Department, March 1988).

The Regents met again in March 1988, and the proposed amended regulations discussed at the February meeting and revised by State Education Department staff as the result of the February discussion were presented to the Regents. Additionally, the pros and cons of parental choice were discussed. A decision was reached to vote on the adoption of the proposed regulations at the May meeting of the Regents (New York State Education Department, March 1988).

Following the March session, State Education Department staff met with superintendents of schools, local social service directors and other interested parties to discuss with them the proposed regulations. The superintendents suggested a third attendance option which would provide a choice of a school district which was a participant in a voluntary regional placement plan (interviews with SED officials; New York State Education Department, June 1988).

The Board of Directors of the New York State School Boards Association met in an emergency session in late March at the National School Boards Association meeting in New Orleans to review the proposed regulations. Seven motions were made and adopted. The New York State School Boards Association recommended that the district of current residency would be responsible for the student; financial responsibility would be similar to current state funding with a charge-back to the student's district of origin and that the state provide a type of impact aid to districts; transportation would be provided a student within the current district of residence transportation policy and any

transportation beyond that policy would be provided by the Department of Social Services (such as transporting a student out of the district of current residence to a public school in another district); centralized record keeping would be established similar to the requirements of the Migrant Workers Act; and the Department of Social Services would be required to notify the district of origin and district of temporary residence of any change in the student's status. These recommendations were submitted to the Commissioner of Education and the members of the Board of Regents (New York State School Boards Association, 1988). Additional school board involvement came in April from the Nassau-Suffolk (Long Island) School Boards Association who drafted a position papers on homeless children. The paper recommended that the Department of Social Services where possible place children in the school district of permanent residence and other provisions similar to the New York State School Boards Association positions (Nassau-Suffolk School Boards Association, 1988).

At the March meeting some concerns had been expressed by some members of the Board of Regents regarding issues broader than educational ones relative to homeless children and families. Sensing some resistance on the part of some of the Regents, State Education Department officials invited to the May meeting the Deputy Secretary for Human Services to the Governor, the Deputy Commissioner of Income Maintenance, New York State Department of Social Services, and the Assistant Commissioner, Official of Shelter and Supported Housing

Program, New York State Department of Social Services. The areas discussed at the May meeting by the panel included housing issues, code enforcement and the need for coordination among all state agencies to meet the needs of the homeless. The panel strategy was successful, particularly the testimony of the social services assistant commissioner for shelter and housing. The Regents adopted the amended regulations as an emergency measure at the May meeting (New York State Education Department, June 1988; New York State Board of Regents, 1988; interviews with SED officials).

Following the May meeting, proposed legislation was submitted to the New York State Assembly and Senate to provide a mechanism for funding the education of homeless children who attended school in a district other than their home school district. The measure passed both houses of the legislature without opposition, was signed by Governor Cuomo, and enacted into law, July 1, 1988.

Regulations and Law

The regulations adopted by the Regents provided for parental choice as to whether the child would attend school in the district of last permanent residence, district of temporary residence or a district participating in a regional placement plan approved by the Commissioner of Education. The regulations also provided for the state payment of tuition to the school district in the year during which the services were provided and reimbursement to the state for the local share by the district of last permanent residence through a deduction in the

following years state funding. The regulations also allowed a parent to change the designation of the school district within a 60-day period. A district could only transport those children who were living and attending school within the district (Commissioner of Education, 1988).

Because the Regents do not have authority to fund educational programs, it was necessary for the state legislature to pass legislation which would provide funding support for the regulations. The legislation enacted into law on July 1, 1988 provided for the calculation of tuition, state payment to the district providing the services and reimbursement to the state by the district of original residence pursuant to the Commissioner's regulations (New York State Session Law, Chapter 348, 1988).

Issues

The primary official issues related to the education of homeless children in New York State were focused on parental choice, residency, funding, and transportation.

The philosophical position of the Commissioner of Education was that parents should be the final decision makers as to where their children should attend. Surprisingly, there was little opposition to that position from the educational community. School board organizations encouraged parental participation. Superintendents of schools provided a third option which was accepted by the Regents, but voiced no strong opposition. The lack of opposition was probably the result of the funding and transportation concerns of the educational

community which were resolved in accordance with their recommendations (interviews with SED officials).

The residency issue was also related to funding concerns. Recommendations that the district of current residence be responsible for the child's education by the New York State School Boards Association were adopted with the provision of funding during the current year and a built-in excess cost funding mechanism by the state. The funding within the current year was important in reducing opposition to the residency issue. In New York, school district budgets are generally voted on by the district's residents in May of each year and the tax rate established during the summer. State reimbursement is based on prior year enrollment data. Without current school year payment from the state, a district could encounter a fiscal crisis if large numbers of homeless children were placed in temporary housing during the year in their districts.

Transportation of children from the district in which the child is temporarily placed back to the district of origin was also a fiscal concern. For instance, a parent might choose to send their son or daughter who is a high school senior back to the high school of origin. In some cases this has been a 90-mile trip (interview with SED officials). The decision to make this the responsibility of the Department of Social Services quieted the opposition to the regulations on this issue.

An underlying issue suggested by State Education Department officials was related to race and the economic status of many of the homeless. One State Education Department official reported receiving telephone calls from persons who did not want "these kind of students in their community's schools" (interview with SED officials). This same State Education Department official stated a belief that some of the opposition to the regulations from some persons in the lower Hudson region about residency and fiscal issues were not their real concerns but were masks for racial and socioeconomic biases (interviews with SED official).

Summary

The adoption of the regulations concerning homeless children who transfer from their district of original residence to a district of temporary residence was the result of the efforts of the New York State Education Commissioner and State Education Department officials to create a collaborative working environment with officials of other state agencies, local social service providers, and local and statewide educational organization officials. These efforts began in a political climate which was not conducive to collaboration and intertwined with personal animosities between the Governor and former Commissioner of Education, power struggles in state government, and conflicts between parents and advocates of homeless school children and school district officials. However, the final chapter has not been written and future studies must examine the results of the implementation of such policies

to determine if homeless children's access rights to a free and appropriate education are now being provided or if barriers to such to such access continue to exist in New York.

Discussion and Recommendations

Spanning the last three decades, there is enough continuity in federal education policy to make the McKinney Act a logical outgrowth of widely shared concerns: about equal educational opportunity, and about free access to public schooling irrespective of one's socioeconomic conditions or special educational needs. The states' initiatives under the McKinney Act benefit from enduring support and expectations created by such landmark enactments as the Elementary and Secondary Education Act of 1965 and the Education for All Handicapped Act a decade later.

Still, major contrasts suggest a broader challenge in the 1980s--as well as a less assertive federal role. As Senator Daniel Moynihan (1989) has observed, in 1964 poverty essentially was a problem of the aged; today the poorest group in our population is children, with about one in every five living below the federal poverty level. Poverty among children has spawned a complex of social, economic, health-related and educational needs that would have overwhelmed the goals and solutions of the Elementary and Secondary Education Act, even as it has evolved.

Moreover, the 1975 federal enactments to support children with handicapping conditions does not compare with the McKinney initiative because the former was built on an extensive network of preexisting state mandates; the assertion of a guaranteed free and appropriate

education for each special child goes much further than the McKinney Act's declarations in support of homeless children. Edward Smith (Education Week, February 8, 1989), the Education Department's coordinator of state status reports under McKinney, admits that his office has been wary of imposing a federal will without a mandatory way. To get federal funds, the states must submit plans, but the plan need not be approved, nor are there sanctions against noncompliance. This federal toothlessness stands in contrast to the legal bite of federal procedural guarantees and due process relative to the handicapped.

Why the comparison and contrast with earlier federal legislation? It helps to introduce both the limits and potential of the federal government's role in assisting the homeless, especially families and children. Unquestionably, the McKinney Act has stimulated a tremendous assortment of planned state and local activities. In the history of educational programs to serve homeless children and youth, 1987 will become pivotal: Congressional policy was declared, a national framework for response was put in place. Nevertheless, plans mostly are still on the drawingboards of state education agencies. Given no statutory guarantee that homeless children will be educated, probable underfunding of the Act--Congress authorized $746 million, but prospects of full funding this year are dim (Education Week, February 8, 1989)--and the array of homeless child needs that have to be met to assure even attending school, let alone learning, it would be premature to declare the battle any more than barely joined.

This policy analysis has derived its impetus, scope, and analytical method from the existence of the McKinney Act. Had the legislation not passed, the need to assist the homeless would be just as intense, and litigation by advocacy groups on behalf of the homeless probably would be much more prevalent. But given the enactment, policymakers and advocates now can get a more focused picture of barriers to educating homeless children and youth as well as their needs. Also, because of the federal stimulus for states' active, often ambitious planning efforts, certain promising patterns of policy and practice are emerging. The following recommendations are built on those patterns.

Improve Identification, Monitoring, and Data Collection Procedures

The vast majority of states have encountered great difficulties trying to identify and account for homeless children and youth. The appalling inconsistency of data should be overcome as a first priority. Once properly monitored homeless children stand a better chance of being given administrative support to prevent lapses in school attendance, and educational support to promote success and self-esteem.

There are needs for consistent definitions and effective transfer of student information. States should review the McKinney Act's definition of homelessness; they should strive to make their classifications compatible with the federal definition of those of other states. Methods of data collection should be as consistent as possible among the states. The Education Department should lead this effort by networking promising mechanisms, and by bringing together key state

officials frequently so that ideas for coordinated identification and monitoring can be shared.

As for student records, interdistrict transfer is a problem because responsibilities are ambiguous, and time lapses lead to services lapses. States should promote or establish plans that define organizational and individual responsibilities--not placing undue burdens on the parents involved. Techniques for accounting for homeless children across both district and state lines should be piloted, evaluated, with results widely shared. Especially promising would seem to be such statewide student monitoring systems as Florida's Information Network, and New York State's Student Information System.

Remove Legal or Bureaucratic Requirements that Short Circuit Education

As urged by the McKinney Act, states should review and revise their residency requirements in connection with school attendance. Homelessness generates unique bureaucratic sinkholes partly because legalities can be used as excuses for denying either responsibility or service.

At the same time, assisted by state educational agencies, school districts should be strongly encouraged to adopt or amend policies and related procedures that will facilitate mid-year school registration, transportation under the exceptional circumstances created by homeless conditions, interdistrict dispute resolution, and effective, routine communication between school and homeless parents. As policies are developed, homeless factors that discourage attendance should be

considered: for instance, the potential traceability of bettered spouses through a child's enrollment in school. Here, confidentiality should be assured as a matter of local policy.

States can assist school boards by providing or sharing policy models, or by actually mandating certain policy prerequisites. For example, when resolving issue of placement, either in a district of original residence, or a new location where the homeless child is actually located, a state policy prerequisite might be that a child should stay in the school where he/she attending at least until the dispute is resolved. Or the state could specify criteria for good placement either as a guide or as a mandate. Both the federal statute and good sense demand that placement decisions be made in the best interest of the child, so regardless of who is authorized to make the choice, the conditions under which it is made should be well informed and widely understood.

Coordination and Collaboration are Needed at Local, State, and Federal Levels

As amply demonstrated by the New York State case study, and highlighted elsewhere in the national survey of state planning activities, coordination and collaboration are essential to success. Coordination is paramount because the factors that prevent education for the homeless are so intermingled with social and economic difficulties outside the schools' jurisdiction or control.

Consequently, no one agency possesses the comprehensive authority needed to link all aspects of assistance to the homeless. Collaboration is essential because it unites resources and will maximize effectiveness in both cost and service.

At the federal level, coordination and collaboration are needed urgently for at least two reasons. First, the extensive, diversified plans developed under the McKinney Act call for much more information and model sharing that has occurred to date under supervision of the federal Education Department. State coordinators, in their telephone interviews, often expressed frustration about lack of guidance from the Education Department, and they repeatedly asked for background on the activities of other states to be shared as soon as possible.

Second, the Education Department's responsibility for Title B of the McKinney Act, which addresses education and job training, is but one aspect of multiple agency obligations under other sections of the law. Interagency efforts would help coordinate and unify services under the Act. Thus far, it appears that administration of the law has been compartmentalized; this will produce duplication and waste of human and material resources if allowed to continue.

The same need for <u>interagency</u> coordination is evident at the state level. New York State has secured an especially cooperative relationship between its Education Department and Department of Social Services. Other states have established state advisory committees to facilitate this relationship. Points of contact, guidelines for

cooperation, and even financial incentives for developing coordinated delivery models are appropriate goals. These activities should be nurtured, expanded, and communicated to the state coordinators who carry responsibilities under the McKinney Act.

Finally, at the local level, coordination and collaboration will help schools develop a comprehensive approach to fulfilling the needs of homeless youth and children. School officials already have in place a number of programs that may be adapted to the unique challenge of educating the homeless. These should be considered, as school officials systematically ask themselves: How can our programs and personnel best be used to bolster the social, psychological, and educational welfare of homeless children, and--to the extent that is reasonable given an educational mission--the children's parents? Are staff awareness sessions necessary? What combination of in-school support and referrals to community-based support systems is warranted? How can homeless children be helped to fit in, to feel important and secure in the school environment? What can be done to expedite procedures that could cause delays in schooling? What can the school do to adjust to the demands and difficulties spawned by homelessness by reaching out to the surrounding community for understanding as well as resources? The answers to these and related questions should guide school districts and individual schools in developing a comprehensive response to educational needs.

* * *

This paper has consolidated and analyzed a growing body of evidence that shows the educational problems of the homeless are multidimensional and growing. It has summarized the states' planned and partly implemented response to those problems within the major categories of initiative in the McKinney Act. The paper has shown how one state developed its response in the political context of legislative and regulatory arenas. Finally, it has targeted major needs and directions for further policy development.

Limits of the analysis are defined by the rapidity of developments under implementation of the McKinney Act. Whether the disturbing images described at the outset of this paper be erased by these developments remains to be seen. But, clearly, policies for positive change have been articulated and now need to be publicized and supported so that a coordinated campaign will occur at all levels of government--and, most important, in the public schools.

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NEW YORK STATE
SCHOOL BOARDS ASSOCIATION
119 Washington Avenue, Albany, New York 12210 • (518) 465-3474

January 25, 1989

!address!

Dear !name!:

The New York State School Boards Association is conducting a national survey and analysis of issues relating to the education of homeless children. Our study will address not only the plight of so called runaways, but also the needs and difficulties of homeless families in relation to the public schools.

We would deeply appreciate your sending us information pertinent to your state: in particular, copies of laws, regulations, plans, and reports. Also, we would like the names, addresses, and telephone numbers of any appropriate officials to contact for further information.

If the issues of educating the homeless have not yet been addressed in your state, that, too, is important for us to know.

We hope to hear from you by mid-February, if possible. Thank you for this valuable help. A copy of our analysis will be sent to you upon completion.

Sincerely,

Jeffrey M. Bowen, Ed.D.
Administrator for Research
and Development

JMB:bas

Appendix B

Response to Survey on State Plan Development for the Education of Homeless Children

On January 30, 1989, the New York State School Boards Association wrote to the education commissioners of Puerto Rico, District of Columbia, and the 50 states to request copies of state plans and developing policies related to educating homeless children. In addition, a number of the state coordinators of education for homeless children and youth were contacted by telephone to provide and/or clarify information. The following list delineates the form of contact made with each state. By March 20, there had been 34 mail responses and 35 telephone contacts.

	Form of Contact	
State	Mail Response	Telephone
Alabama	Yes	Yes
Alaska	Yes	Yes
Arizona	Yes	Yes
Arkansas	No	Yes
California	Yes	No
Colorado	Yes	No
Connecticut	Yes	Yes
Delaware	No	Yes
District of Columbia	Yes	Yes
Florida	Yes	Yes

State	Form of Contact	
	Mail Response	Telephone
Georgia	Yes	No
Hawaii	No	Yes
Idaho	No	Yes
Illinois	Yes	Yes
Indiana	Yes	Yes
Iowa	Yes	Yes
Kansas	Yes	Yes
Kentucky	Yes	No
Louisiana	No	Yes
Maine	Yes	No
Maryland	Yes	Yes
Massachusetts	Yes	No
Michigan	No	No
Minnesota	No	Yes
Mississippi	No	Yes
Missouri	No	No
Montana	No	Yes
Nebraska	Yes	Yes
Nevada	No	Yes
New Hampshire	Yes	No
New Jersey	Yes	No
New Mexico	No	Yes

State	Form of Contact: Mail Response	Form of Contact: Telephone
New York	No letter sent	No
North Carolina	Yes	No
North Dakota	Yes	No
Ohio	No	Yes
Oklahoma	No	Yes
Oregon	Yes	Yes
Pennsylvania	Yes	No
Puerto Rico	Yes	Yes
Rhode Island	Yes	Yes
South Carolina	Yes	Yes
South Dakota	Yes	Yes
Tennessee	Yes	No
Texas	Yes	Yes
Utah	No	Yes
Vermont	Yes	No
Virginia	No	Yes
Washington	No	Yes
West Virginia	Yes	Yes
Wisconsin	Yes	No
Wyoming	Yes	Yes